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SUBMITTED ELECTRONICALLY

National FOIA Office
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2310A)
Washington, DC 20460

Re: Freedom of Information Act Request for Information – Documents Pertaining to President Biden’s January 20, 2021 revocation of the March 29, 2019 Keystone XL Pipeline Presidential Permit

Dear FOIA Officer:

This letter is a request under the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”).

Please provide the following documents prepared, compiled for, resulting from, or otherwise concerned with President Joseph R. Biden Jr.’s January 20, 2021 revocation of the March 29, 2019 Presidential Permit for the Keystone XL Pipeline Project granting to TransCanada Keystone Pipeline, L.P. a permit to construct, connect, operate, and maintain pipeline facilities at the international border of the United States and Canada at Phillips County, Montana, for the import of oil from Canada to the United States (hereinafter the “Keystone XL Project”), specifically:

- 1) All documents sent between your agency and the following parties concerning the revocation of the Keystone XL Project, from May 1, 2020 to January 20, 2021:
 - a. Agents of the Biden For President campaign committee, FEC ID #: C00703975; and
 - b. The official transition team of President-Elect Joseph R. Biden Jr. as certified by General Services Administrator Emily W. Murphy on November 23, 2020.
- 2) All documents sent between your agency and The Executive Office of the President on January 20, 2021. If communications *to* the Executive Office of the President are covered by Exemption 5 of FOIA per *Judicial Watch, Inc. v. DOJ*, 365 F.3d 1108 (D.C. Circuit 2004), then we request all communications *from* the Executive Office of the President to the U.S. Environmental Protection Agency regarding the Keystone XL Project.

- 3) Any internal documents generated by your agency pertaining to any consideration, notice, or analysis regarding the revocation or cancellation of the Keystone XL Project from March 31, 2020 to January 20, 2021.

For the purposes of this request, “documents” should be interpreted to include background papers, briefing notes, memoranda, meeting minutes, emails, telephone logs, and reports.

Please identify all responsive or potentially responsive documents within the statutorily prescribed time of 20 days (excepting Saturdays, Sundays, and legal public holidays) under 5 U.S.C. § 552 (a)(6)(A)(i). In addition, please provide the basis for any claimed exemptions or privilege and to which specific responsive or potentially responsive document(s) such objection applies. Further, please state the basis for any partial denials or redactions.

I am requesting the above information on behalf of a commercial entity, and thus, this request falls within the commercial use category. I will pay fees up to a maximum of US\$ 500.00 for locating and duplicating documents responsive to this request. If the cost of responding to this request will exceed that amount, please call me at (202) 624-2983 prior to copying any records.

I appreciate your cooperation in providing a timely response to this request. I will accept the production of responsive documents on an incremental or rolling basis.

If you have any questions concerning this request or need any additional information concerning any of the material sought, please call me at the above number.

Respectfully submitted,



Ashley Riveira
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